

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Chairman;
Tony Hammond, Vice Chairman;
Mark Acton; and
Nanci E. Langley

Periodic Reporting
(Proposal Five)

Docket No. RM2018-8

ORDER RELATING TO LIBRARY REFERENCE UPS-RM2018-8/NP1

(Issued August 31, 2018)

On June 26, 2018, the Postal Service filed a petition pursuant to 39 C.F.R. § 3050.11, requesting that the Commission initiate a rulemaking proceeding to consider changes to the analytical principles relating to periodic reporting.¹ On August 29, 2018, the United Parcel Service, Inc. (UPS) filed comments on Proposal Five.² UPS also filed materials under seal, Library Reference UPS-RM2018-8/NP1. However, UPS' filing was incomplete because it did not file an application for non-public treatment that identifies the non-public materials and explains why the materials designated as non-

¹ Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Five), June 26, 2018 (Petition). The Postal Service filed a non-public library reference with Proposal Five. Library Reference USPS-RM2018-8/NP1, Nonpublic Material Relating to Proposal Five, June 26, 2018; Notice of Filing of USPS-RM2018-8/NP1 and Application for Nonpublic Treatment, June 26, 2018.

² Comments of United Parcel Service, Inc. on Notice of Proposed Rulemaking on Analytical Principles Used in Periodic Reporting (Proposal Five), August 29, 2018 (UPS Comments).

public should be withheld from the public.³ Commission rules require filing such an application.

The Commission also notes that it appears that Library Reference UPS-RM2018-8/NP1 includes information contained in non-public library references filed in Docket No. ACR2017. On January 18, 2018, the Commission granted certain UPS' representatives access to specific non-public library references filed in Docket No. ACR2017.⁴ UPS must ensure that its outside counsel and consultants assisting it in this docket have been granted access to all non-public materials used or included in Library Reference UPS-RM2018-8/NP1.

It is ordered:

1. The United Parcel Service, Inc. must file an application for non-public treatment with respect to Library Reference UPS-RM2018-8/NP1.
2. United Parcel Service, Inc. must ensure that its outside counsel and consultants assisting it in this docket have been granted access to all non-public materials used or included in Library Reference UPS-RM2018-8/NP1.

By the Commission.

Stacy L. Ruble
Secretary

³ See 39 C.F.R. §§ 3007.200(a), 3007.201. Additionally, if UPS believes that any person other than itself has a proprietary interest in information contained within the non-public materials, UPS shall inform each affected person of the nature and scope of the submission to the Commission.

⁴ Docket No. ACR2017, Order on UPS' Motion for Access, January 18, 2018, at 2 (Order No. 4383). See United Parcel Service, Inc.'s Motion Requesting Access to Non-Public Materials Under Protective Conditions, January 5, 2018.